

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10/A

A.J.

11-17-01

In re Application of:

THIEL, Heinz-Jürgen; BECHER, Paul; ORLICH, Michaela

Serial No.: To be assigned Group Art Unit: To be assigned

Filed: Concurrently herewith Examiner: To be assigned

For: PESTIVIRUS MUTANTS AND VACCINES CONTAINING THE SAME

Corresponding to: EP 00201 421.5, filed April 21, 2001

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

April 20, 2001

Sir:

Prior to the examination of the above-referenced application, please amend the same as follows.

IN THE CLAIMS:

Please cancel claims 1-14 without prejudice or disclaimer of the subject matter thereof and add new claims 15-47.

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15. An attenuated pestivirus mutant having a reduced ability to replicate relative to a wild-type pestivirus, said mutant comprising one or more mutations of one or both of stem loops Ia and Ib of the 5' nontranslated region (NTR) of the pestivirus genome, and wherein the 5' end of the genome comprises the nucleotide sequence 5'-GUAU and expression of a viral polyprotein is under the control of a homologous internal ribosome entry site (IRES).